

The Applicants Request Complete Examination Under MPEP § 707.07

Claims 1, 2, 8–50 and 129–148 are rejected under § 102(b) as anticipated by Clark. However, in issuing the § 102(b) rejection for all of these claims, the Examiner cites only to elements particular to claims 1 and 2. The Examiner does not cite, or address, the features of claims 8–50 or 129–148. *See*, Office Action at Pages 2–4, Paragraphs 4 and 5. Pending claims 8–50 are originally filed claims, which have not been amended and include many features not recited by claims 1 or 2, or disclosed in the cited art. The Applicants added pending claims 129–148 in a Response filed June 10, 2002; these claims have also not been amended and include many features not recited by claims 1 or 2, or disclosed in the cited art. Consequently, it appears that the Examiner has failed to substantively examine claims 8–50 or 129–148 on the merits of each individual claim.

Accordingly, the Applicants request that the Examiner withdraw the outstanding Office Action and issue a new Office Action, if necessary, or a Notice of Allowance, in which each of the elements of claims 8–50 and 129–148 are substantively examined. *See*, MPEP § 707.07, “Completeness and Clarity of Examiner’s Action;” MPEP § 707.07(g), “Piecemeal Examination.”

In the Response filed on June 10, 2002, the Applicants demonstrated that Clark fails to disclose many features of claim 1. However, in the outstanding Office Action, the Examiner failed to respond to each of the Applicants’ arguments. For example, the Examiner did not address the Applicants’ contention that “Clark is entirely silent on whether his system includes a ‘computer having web server software for hosting a web page,’ as recited by claim 1” (Response, Page 7, emphasis added). Similarly, the Examiner did not respond to the Applicants’ argument that “Clark fails to teach or suggest the claimed ‘data recipient’s offer’ ” (Response, Page 7, emphasis added). As yet another example, the Examiner did not address the Applicants’ assertion that “Clark is entirely silent on whether ‘the client software includes instructions for forwarding a data recipient’s offer to the at least one data repository via the gateway computer, the second network, and the NCD software,’ as claimed” (Response, Page 7, emphasis added). Accordingly, the Applicants also request that the Examiner specifically respond to the absence of these features in the new Office Action. *See*, MPEP § 707.07(f), “Answer All Material Traversed.” In the interim, the Applicants submit the following remarks.

The Claims Are Allowable Over the Cited Art

Clark is directed to a system for delivering financial services to different geographical locations and time zones, and includes a global interface device (GID) 10, one or more customer facilities (CF) 12, a global telecommunications network (GTN) 13, and a plurality of on-line transaction processors (OLTP) 14. *See, e.g.,* Abstract; FIG. 1; Col. 3, lines 5–14; Col. 4, lines 50–60; Col. 29, lines 2–30. The Applicants respectfully submit that Clark fails to disclose several features of the claimed invention.

For example, claim 1 as amended recites, in pertinent part, a “data recipient computer having web server software for hosting a web page.” The Examiner cites to the Abstract and FIG. 1 to support the § 102 rejection. *See, Office Action at Page 3.* However, the Applicant submits that Clark is entirely silent on whether his system includes a “computer having web server software for hosting a web page,” as recited by claim 1. Moreover, Clark fails to teach or suggest the use of any protocols associated with web server software, such as, *e.g.,* HTTP, HTML, XML, WML, etc. Rather, Clark discloses a “specially developed software package” which includes various software applications, none of which include the use of web page hosting software. *See, e.g.,* Col. 18, lines 22–34; FIGS. 15, 17, 20, 23, 24, 28, etc.

Claim 1 as amended also recites, in pertinent part, “at least one data recipient computer having client software ... the client software includes instructions for forwarding a data recipient’s offer to the at least one data repository via the gateway computer, the second network, and the NCD software.” The Examiner cites to FIG. 15, Col. 20, lines 65–67, Col. 21, lines 1–60 and Col. 14, lines 14–21 to support the § 102 rejection. *See, Office Action at Page 3.* The Applicants respectfully disagree. Clark fails to teach or suggest the claimed “at least one data recipient computer having client software.” Rather, Clark discloses that his electronic delivery system operates under a specially developed software package installed on a user workstation, and not on a data recipient computer. *See, e.g.,* Col. 18, lines 22–64. Furthermore, Clark fails to teach or suggest the claimed “data recipient’s offer.” Moreover, Clark is entirely silent on whether “the client software includes instructions for forwarding a data recipient’s offer to the at least one data repository via the gateway computer, the second network, and the NCD software,” as claimed. *See, e.g.,* Application at Page 9 line 18 to Page 10 line 1, etc.

Consequently, claim 1 as amended is allowable over the cited art. Claims 2–50, depending from claim 1, are also allowable at least for the reasons discussed above. Furthermore, the Applicants submit that the cited art fails to disclose the elements recited by claims 129–148.

Accordingly, the Applicants respectfully request that the Examiner reconsider and withdraw the pending § 102 and § 103 rejections.

CONCLUSION

In view of the remarks submitted above, the Applicants respectfully submit that the present case is in condition for allowance. A notice to that effect would be greatly appreciated.

The Examiner is invited to contact the undersigned at (202) 220-4294 to discuss any matter concerning this application.

The Office is authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 11-0600.

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Respectfully submitted,

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